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TO: Representative Joseph M. McNamara, Chairperson
House Committee on Health, Education and Welfare

Senator Michael J. McCaffrey, Chairperson
Senate Committee on the Judiciary

FROM: Charles Alexandre
Chief, Health Professions Regulation

SUBJECT: Rhode Island Medical Marijuana Program

The Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act was enacted on January 3, 2006. This report is submitted pursuant to section 21-28.6-6(k) of the Act.

The Department of Health implemented the Medical Marijuana Program on April 3, 2006. The first registration cards were issued to qualified patients and their designated caregivers on or about May 1, 2006. As of December 30, 2008 five hundred sixty one (561) qualified patients are registered with the program. An additional four hundred fifty eight (458) designated caregivers are currently registered. To date the Department has revoked one (1) patient registration upon this individual's arrest and arraignment on charges of contributing to the delinquency of a minor, narcotics and weapons charges and one (1) caregiver for possession of marijuana in an amount greater than allowed.

The Department charges a registration fee for qualified patients of \$75 at the time of application. Patients who submit satisfactory evidence to the Department of being a recipient of Medicaid, Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI) pay a \$10 registration fee.

Pursuant to Public Law 2007, Chapters 72 and 495, the following revisions were made to the program:

- A registration fee for caregivers was implemented wherein applicants are charged a registration fee of \$75 for each caregiver unless they submit evidence of being a recipient of Medicaid, SSI or SSDI and are charged a fee of \$10;
- The amount of useable marijuana and marijuana plants was reduced for caregivers with multiple patients;
- Patient and caregiver name and address was removed from the registration cards; and
- The registration period was extended from one to two years.

The following table depicts the number of registered patients and caregivers as of December 30, 2008.

		Active	Pending	Revoked
Minor Patient	Non-Medicaid/SSI	1	0	0
	Total	1	0	0
Adult Patient	Medicaid/SSI	294	9	1
	Non-Medicaid/SSI	266	12	1
		561	19	2
Caregiver		458	18	1

Section 21-28.6-6(d) allows a patient to designate two (2) caregivers to assist with the patient's medical use of marijuana. The caregiver may not have a felony drug conviction. Section 21-28.6-3(6) allows a caregiver to assist a maximum of five patients.

ACTIVE MMP PATIENTS	
Patients with 0 caregivers	92
Patients with 1 caregiver	165
Patients with 2 caregivers	304
ACTIVE CAREGIVERS	
Caregivers with 1 patient	335
Caregivers with 2 patients	45
Caregivers with 3 patients	4
Caregivers with 4 patients	1
Caregivers with 5 patients	1

Two hundred twenty nine (229) Rhode Island licensed physicians have certified patients for the program. A breakdown of qualifying diagnosis, comparing 2006 with 2008, is depicted in the following table. Note that some patients may have more than one diagnosis.

Diagnosis	Count		Percent	
	2006	2008	2006	2008
Cancer or Treatment	29	85	11.55%	11.95%
Glaucoma or Treatment	6	12	2.39%	1.69%
Positive Status for HIV or Treatment	28	60	11.16%	8.44%
AIDS or Treatment	14	32	5.58%	4.50%
Hepatitis C or Treatment	31	69	12.35%	9.70%
Chronic or Debilitating Disease or Condition	143	453	56.97%	63.71%
Total	209	618		

“Chronic or debilitating disease or conditions” include cachexia or “wasting” syndrome, severe, debilitating, chronic pain, severe nausea, seizures, including, but not limited to, those characteristic of epilepsy, severe persistent muscle spasms, including, but not limited to, those characteristic of multiple sclerosis or Crohn’s disease, or agitation of Alzheimer’s disease

Since the program’s implementation the Department has had several requests for information with respect to the use of marijuana by nursing home residents. Specifically the facility requested information regarding provisions to obtain marijuana for the resident’s use. The statute does not address the use of marijuana in inpatient facilities.

Pursuant to section 21-28.6-6(k) of the Act the Department is unaware of any specific cost to law enforcement agencies or any litigation regarding the implementation of the Act. The United States Food and Drug Administration has not altered its position regarding the use of marijuana for medical purposes; nor has it approved alternative delivery systems for marijuana.

There has been minimal community response to the implementation of the medical marijuana program. The most frequent request to the Department is for information regarding the purchase of marijuana. There continues to be confusion regarding the availability of marijuana to registered patients and caregivers.

Additional information or questions about the Medical Marijuana Program should be directed to Charles Alexandre, Chief of Health Professions Regulations at (401) 222-2828 or via email to Charles.Alexandre@health.ri.gov.